



## Planning Commission Staff Report

**TO:** PLANNING COMMISSION

**FROM:** MARIA S. CADAVID, AICP, CSBA, SENIOR PLANNER   
480-503-6812, MARIA.SUNIGA-CADAVID@GILBERTAZ.GOV

**THROUGH:** CATHERINE LORBEER, AICP, PRINCIPAL PLANNER   
480-503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

**MEETING DATE:** JANUARY 8, 2014

**SUBJECT:** Z13-12: REQUEST TO AMEND ORDINANCES NO. 1597 AND 1956 AND REZONE APPROXIMATELY 17.5 ACRES OF REAL PROPERTY WITHIN THE COPPER RANCH PLANNED AREA DEVELOPMENT (PAD), GENERALLY LOCATED SOUTH AND EAST OF THE SOUTHEAST CORNER OF WARNER AND RECKER ROADS FROM MULTI FAMILY-MEDIUM (MF-M) WITH A PLANNED AREA DEVELOPMENT (PAD) TO SINGLE FAMILY-DETACHED (SF-D) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY ZONING DISTRICT AND TO AMEND CONDITIONS OF DEVELOPMENT AS FOLLOWS: REDUCE LOT DIMENSIONS; DECREASE FRONT, SIDE AND REAR SETBACKS AND SEPARATION BETWEEN DWELLING UNITS; AND INCREASE THE MAXIMUM LOT COVERAGE FOR TWO AND THREE-STORY UNITS.

<b>STRATEGIC INITIATIVE:</b> Community Livability
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This rezoning request constitutes the last vacant residential parcel in the Copper Ranch Master Plan, which is located in the Gateway Character Area and will continue the Neo-traditional concept and design principles of this Character Area.

## **RECOMMENDED MOTION**

**FOR THE REASONS SET FORTH IN THE STAFF REPORT, MOVE TO RECOMMEND APPROVAL TO THE TOWN COUNCIL FOR Z13-12, SUBJECT TO THE CONDITIONS LISTED IN THE STAFF REPORT.**

## **APPLICANTS/OWNER**

### **Applicant**

**Name:** Anderson Baron Landscape Arch.  
Chris Jones

**Address:** 50 North McClintock Dr. Ste # 1  
Chandler, Arizona 85226

**Phone:** 480-699-7956

**Fax:** 480-699-7986

**Email:** [chris.jones@andersonbaron.com](mailto:chris.jones@andersonbaron.com)

### **Owner**

**Name:** K B Home  
Janelle Speake/Sam Griffin

**Address:** 4127 E. Van Buren # 150  
Phoenix, Arizona 85008

**Phone:** 602-282-3067

**Email:** [sgriffin@kbhome.com](mailto:sgriffin@kbhome.com)

## **BACKGROUND/DISCUSSION**

### **History**

#### *Date*

#### *Action*

*October 5, 2004*

Town Council adopted Ordinance No. 1597 in rezoning case Z03-44 creating the Copper Ranch Planned Area Development (PAD).

*May 22, 2007*

The Town Council adopted Ordinance No. 1956 in rezoning case Z07-35 that changed the zoning designation of the entire acreage to conform to the designations in the Land Development Code (LDC).

*October 6, 2004*

The Planning Commission approved the preliminary plat (S04-09) for Copper Ranch.

*July 3, 2013*

The Planning Commission reviewed this application (Z13-12) at Study Session.

*October 2, 2013*

Applicant requested to the Planning Commission continuance of the recommendation to address issues raised at the Study Session.

*November 6, 2013*

Applicant requested a second continuance to address the possibility of increasing the off and on-street parking areas and reducing the number of lots with increased lot coverage.

*December 4, 2013*

Staff requested continuance to allow applicant time to refine exhibits and revise the legal description.

### **Overview**

Parcel B is the last residential parcel to be developed in Copper Ranch and it proposes 109 Single Family (SF-D) lots on 17.5 gross acres on what is currently zoned Multi-Family/Medium. This rezoning will reduce the number of units by 59 from the original entitlement.

The Planned Area Development was originally designed to observe the design standards for the Gateway Character Area where it is located. The development plan proposed for this parcel illustrates the required fifty-foot (50') wide landscape buffer easement along Recker and Warner Roads, and the arrangement of the pods abutting the commercial parcel to the north are setback from 30' to 50' from the property line to mitigate any impact from the future commercial onto the residential development and to utilize this buffer to meet landscape requirements. The applicant also describes in the narrative that they will design the houses using the Gateway Area Traditional Neighborhood Design Guidelines to achieve the General Plan Goals for the Gateway Character Area.

## Project Data

### Surrounding Land Use & Zoning Designations:

	Existing Land Use Category	Existing Zoning	Existing Use
<b>Onsite</b>	Residential > 5 – 8 DU/Acre	Multi-Family Medium (MF/M)	Vacant/Off-site improvements partially completed
North	Community Commercial (CC), Warner Rd. then Business Park (BP)	Community Commercial (CC), Warner Rd. then Business Park (BP)	Vacant
South	Residential > 5-8 DU/Acre	Single Family Detached (SF-D)	Copper Ranch PAD
East	Maricopa County, Residential > 5-8 DU/Acre	Rural-43 (Maricopa County), Single Family-Detached (SF-D)	Maricopa County and Copper Ranch PAD
West	Community Commercial (CC), Recker Road, then Residential > 5-8 DU/Acre	Community Commercial (CC), Recker Road then Single Family Detached (SF-D)	Vacant and Cooley Station North Parcel 1

### Project Data Table:

	Proposed Project
Gross Site Area	+/- 17.5
Existing Land Uses:	Residential > 5-8 DU/Acre
Proposed Density (Gross)	6.2 DU/Acre (Parcel B) Overall acreage: 76.5
Existing Zoning (Parcel B)	Approximately 17.5 acres of Multi-Family Medium (MF/M) with a PAD
Proposed Zoning (Parcel B)	Approximately 17.5 acres Single Family Detached (SF-D) with a PAD

<b>Standards</b>	<b>Ord. No. 1956</b>	<b>Land Development Code (LDC) SF-D</b>	<b>Copper Ranch Parcel B Amendment Request</b>
Lot Width	45'	N/A	40' to 59'
Lot Coverage One story Two/three story	60% 50%	60% 50%	60% <b>62%</b>
Front Setback	10' to living area, or side entry garage 20' to front loaded garage	10'	<b>3'-6"</b> <b>(pods' end lots only)</b>
Rear Setback	10'	10'	<b>5'</b>
Side Yard Setback	5'	0 or 5'	<b>3'-6" to covered patios' face of posts and 3'</b>
Min. Lot Size	4,500 sq. ft.	3,000 sq. ft. per dwelling	<b>2,620 sq. ft. (29 lots or 27%)</b>
Separation between buildings (measured from the exterior walls of the units)	--	10'	<b>7'</b>

## **PUBLIC NOTIFICATION AND INPUT**

The applicant held the first neighborhood meeting on Tuesday, August 21, 2012 at 6:00 p.m. in the KB sales center that was attended by the applicant, his development team and twelve (12) property owners from other parcels of Copper Ranch. After the Study Session on July 3, 2013, the development team was asked by staff to hold a second neighborhood meeting due to the time that had elapsed.

The second meeting took place on July 22, 2013 at the KB sales trailer located in the subdivision. It was attended by five (5) property owners and the development team. Questions included the following:

- Property owners asked for the possibility of motor courts having a street name to help in package deliveries.
- Timing of improvements for Recker and Warner Roads and wanting to see these roads widened from the existing 2 lane status.
- Property owners asked about on-street parking on proposed development plan vs. the existing onsite plan.
- Asked about the existing commercial and what would be built there; they expressed their desire of seeing something other than commercial due to the high vacancy in the area.
- Property owners asked if the HOA fees would be reduced based on the proposed development plan.

- Residents expressed their interest in having an additional pool for the community due to the frequent use of the existing pool.
- Residents asked about the lot setbacks discussed at the Study Session.
- Attendants asked about the reason for the site plan changing from the last neighborhood meeting on August 21, 2012.
- Residents also asked about the timing of the proposed development and expressed their desire of seeing the proposed site plan built, rather than the existing triplex or vacant land remaining.
- Property owners expressed positive support for the proposed site that reduces the possible number units by approximately 59.

A notice of public hearing was published in a newspaper of general circulation in the Town, and an official notice was posted in all the required public places within the Town. The applicant re-advertised the public hearing with the Town Council date and correct acreage on December 24, 2013. Staff has not received any additional comments from the public.

### **CONFORMANCE WITH THE GENERAL PLAN:**

The rezoning request does not trigger a General Plan amendment because the request proposes 6.2 DU/Acre within Parcel B of Copper Ranch and the land use classification for the entire Planned Area Development is Residential > 5-8 DU/Acre.

### **REZONING REQUEST**

*Rezoning (Z13-12):* Per the applicant's narrative and the revised Development Exhibit submitted on December 16, 2013, the proposed amendment to create 109 lots on approximately 17.5 acres known as Parcel B of the Copper Ranch Plan Area Development consists of:

1. Reduce the minimum size of the lots to 2,620 square feet from 3,000 square feet in the LDC.
2. Reduce building setbacks as follows:
  - Front (faces the motor court): from 10' to 3'-6" (pods' end units only).
  - Rear: from 10' to 5'.
  - Sides: from 0' or 5' to 3'.
3. Separation between units: from 10' to 7'
4. Maximum lot coverage for two-story houses: from 50% to 62%.

In review of the proposed Development Plan, the minimum lot size is shown at 2,620 square feet for 29 lots at the center of each pod. Per the preliminary plat exhibit, the remainder of lots range from 3,497 to 3,864 square feet. Staff is of the opinion that the smaller lot size illustrated on the Development Plan exhibit, should be limited to the 29 lots where a specific standard plan already fits.

At the July 3, 2013 Study Session, the Planning Commission expressed issues and commented on the intensity of the project, the insufficient on-street parking provision, the number of deviations requested and the building code restrictions that could affect the articulation of the side or rear walls closer to the property line.

Since July, the applicant has produced several iterations of the Development Plan and parking exhibits to respond to the Planning Commission concerns and to the Traffic and Sanitation requirements regarding the functionality of the project. Because the proposed street design allows for on-street parking, there is not a requirement for guest parking per LDC Table 4.204. However, to address operational concerns, the applicant proposes to add 19 off-street parking spaces in four (4) separate off-street parking alcoves throughout the project in addition to the designated parallel on-street parking spaces.

In response to the Sanitation Division observations, the applicant also illustrates the placement of the refuse pads and required signs to effectively implement these designations. Other requirements by Sanitation will be conditioned in the ordinance for effective implementation by the Home Owners Association (HOA) during the life of the project.

The Traffic Division evaluated the last revision to the Development Plan proposed and states that the number of parking spaces (on-street parallel parking and off-street parking) as illustrated on the parking exhibit will allow acceptable operation; however, per the proposed subdivision layout, no additional pull-in parking would work because it would cause limited sight visibility and the difficulty of maneuvering around the parallel parked cars. Therefore, Sanitation, Traffic and Engineering Divisions have cautiously accepted the Development Plan proposal.

The Single-Family Detached (SF-D) zoning district designation is the only district in this master plan community. The design for the use and benefit easement helps to maximize the use of the outdoor area for this lot layout. Staff is of the opinion that the intensity of the project will be relieved by observing the SF-D minimum standards in the LDC regarding lot coverage of 50% for the 2-story houses.

### **PROPOSITION 207**

An agreement to “Waive Claims for Diminution in Value” Pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file (Z13-12).

### **REASONS FOR RECOMMENDATION**

1. The proposed zoning amendment as conditioned conforms to the General Plan, the Gateway Character Area, and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning as conditioned supports the Town’s strategic initiative for Community Livability. It supports the motto “Gilbert: Clean, Safe, Vibrant.”

## **STAFF RECOMMENDATION**

For the following reasons, the development proposal conforms to the intent of the General Plan and can be coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval to the Town Council for Z13-12, a request to rezone approximately 17.5 acres of real property within the Copper Ranch Planned Area Development (PAD) generally located south and east of the southeast corner of Recker and Warner Roads from Multi-Family Medium (MF/M) to Single Family-Detached (SF-D) zoning district, all with a Planned Area Development (PAD) overlay zoning district and to amend conditions of development in the Copper Ranch PAD for Parcel B subdivision, subject to the following conditions:

1. Parcel B of Copper Ranch Planned Area Development (PAD) shall be developed in conformance with the Town's zoning requirements for the Single Family-Detached (SF-D) and all development shall comply with the Town of Gilbert Land Development Code except as modified by the following:

<b>Copper Ranch Parcel B</b>					
Zoning District	Min. Lot Area (Sq. Ft)	Setbacks			Coverage (%)
		Front	Sides	Rear	One/Two-Story
<b>Single Family-D (SF-D)</b>	<b>2,620 (for a maximum of 29 lots)</b>	<b>3'-6" for pod's end- lots only</b>	<b>3' 6" (measured to the face of the covered patio's post) and 3'</b>	<b>5'</b>	60%/ 50%

2. A minimum of **seven (7)** feet shall be provided between dwelling units measured from the exterior walls of the units.
3. The developer shall install the following improvements in the right-of-way to manage vehicular circulation and refuse collection functions:
  - Refuse pads shall be installed and have a minimum dimension of 3' x 3' with 2 feet in between each pad.
  - 'No Parking' signs shall be placed by the area of the designated refuse pads and there shall be a 15 foot clearance between refuse pad areas and the 1<sup>st</sup> on-street parallel parking space.
  - Each cluster of houses shall have a designated area by each driveway for monthly bulk trash service.

Respectfully submitted,

A handwritten signature in dark ink, reading "Maria S. Cadavid". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Maria S. Cadavid AICP, CSBA

**Attachments:**

1. Public Hearing Map
2. Development Plan for Copper Ranch Parcel B
3. Parking Exhibit
4. Typical Lot Fit Diagram (4, 6 and 8 packs 3 pp.)
5. Court Character
6. Planning Commission Minutes of 7/3/13



**Z13-12**

**Attachment 1: Notice of Public Hearing**

**January 8, 2014**

## **Notice of Public Hearing**

**PLANNING COMMISSION DATE:**

**TOWN COUNCIL DATE:**

**LOCATION: Gilbert Municipal Center, Council Chambers**

**50 E. Civic Center Drive**

**Gilbert, Arizona 85296**

**Wednesday, January 8, 2014\* TIME: 6:00 PM**

**Thursday, January 30, 2014\* TIME: 7:00 PM**

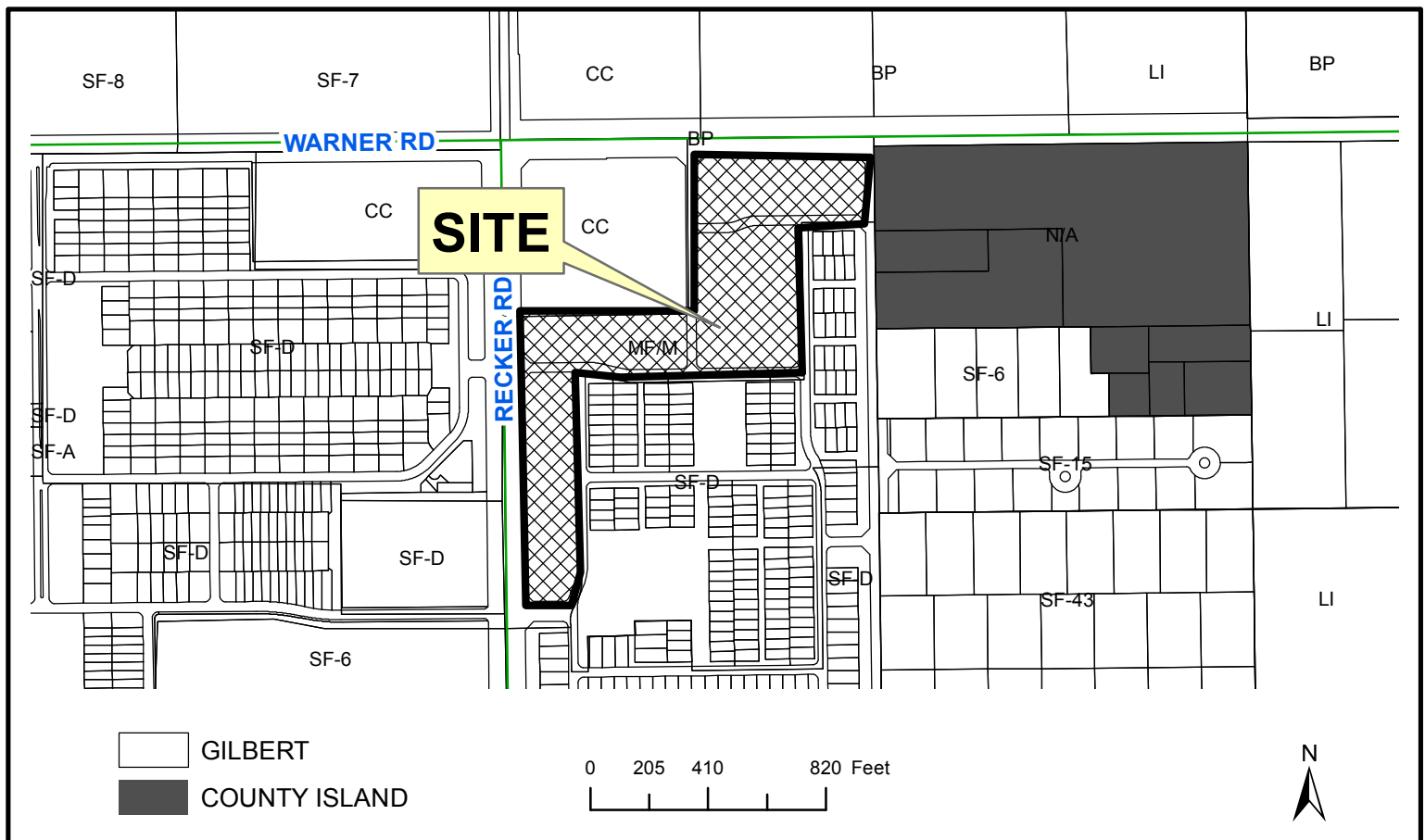
**\* Call Planning Department to verify date and time: (480) 503-6700**

### **REQUESTED ACTION:**

Z13-12: Request to amend Ordinances No. 1597 and 1956 and rezone approximately 17.5 acres of real property within the Copper Ranch Planned Area Development (PAD), generally located south and east of the southeast corner of Warner and Recker Roads from Multi Family-Medium (MF-M) with a Planned Area Development (PAD) to Single Family-Detached (SF-D) with a Planned Area Development (PAD) overlay zoning district, as shown on the exhibit (map), which is available for viewing in the Planning and Development Services Office and to amend conditions of development as follows: reduce lot dimensions; decrease front, side and rear setbacks and separation between dwelling units; and increase the maximum lot coverage for two and three-story units. The effect of the rezoning will be to develop the property as single-family rather than multi-family residential and to increase the lot coverage by reducing setbacks, lot dimension and separation between residential units for the single-family detached (SF-D) zoning district.

\* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m.

### **SITE LOCATION:**



**APPLICANT: Anderson Baron Landscape Architecture LLC**

**CONTACT: Chris Jones**

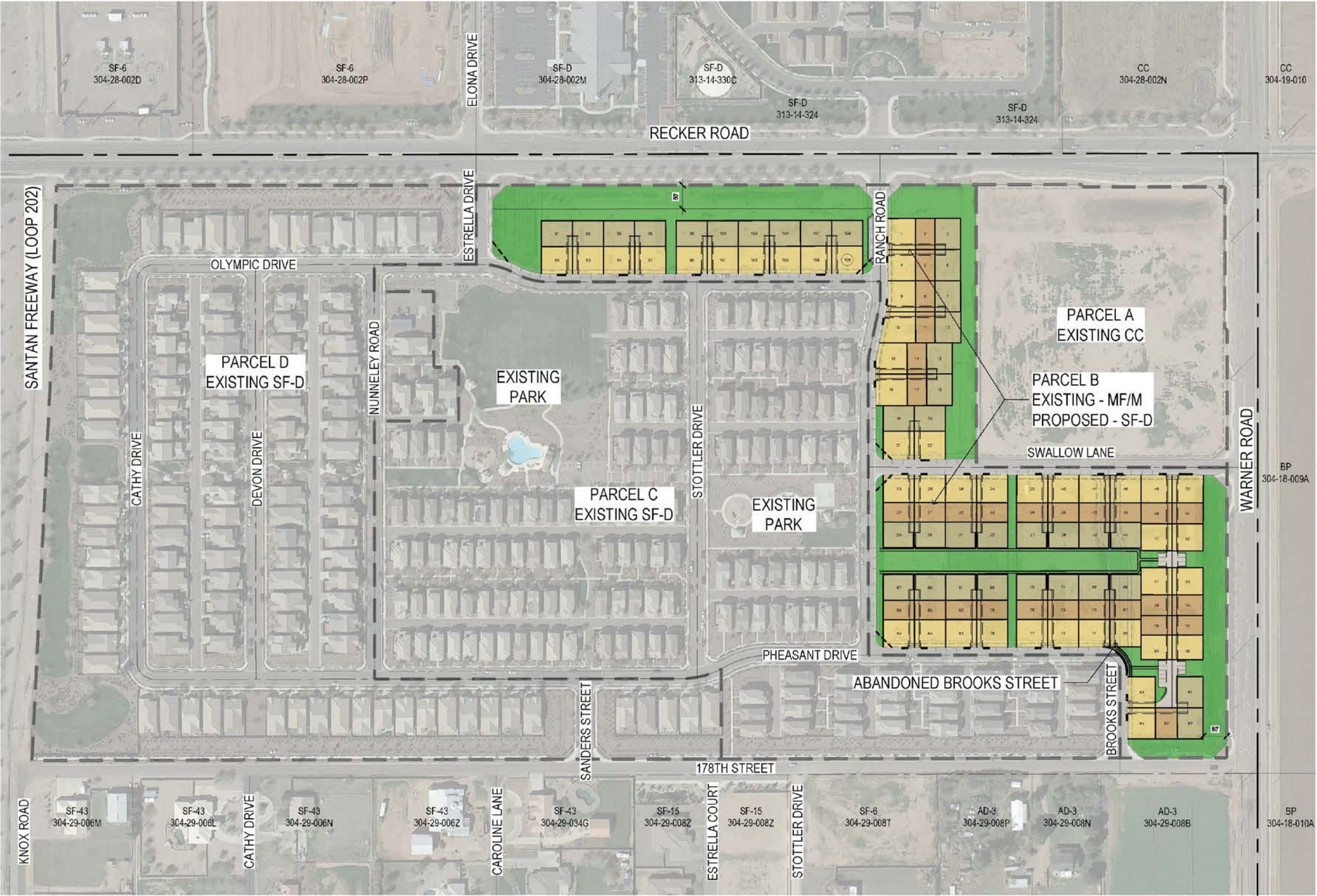
**ADDRESS: 50 N. McClintock Drive #1**

**Chandler, AZ 85226**

**TELEPHONE: (480) 699-7956**

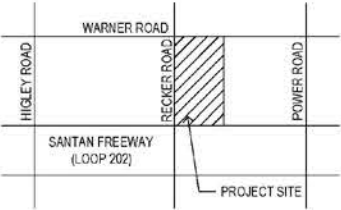
**E-MAIL: [chris.jones@andersonbaron.com](mailto:chris.jones@andersonbaron.com)**





PARCEL B PROPOSED				
DESCRIPTION	QUANTITY	%	ZONING	GENERAL PLAN CLASSIFICATION
GROSS AREA	17.50 AC.		SF-D	RESIDENTIAL 5-8 DU/AC
NET AREA	13.21 AC.			
OPEN SPACE	4.46 AC.	34%		
GROSS DENSITY	6.23 DU/AC			
TOTAL LOTS	109 UNITS			
LOTS UNDER 3,000 SF	29 UNITS	27%		

STANDARDS	LDC SF-D	AMENDED SF-D
MINIMUM LOT AREA	3,000 SF	2,620 SF
MINIMUM LOT DIMENSION	NA	NO CHANGE
WIDTH		
DEPTH		
MAXIMUM HEIGHT (FT./STORIES)	36/3	NO CHANGE
MINIMUM BUILDING SETBACKS		
(F) FRONT	10'	3.5'
(S) SIDE	0' or 5'	3'
(R) REAR	10'	5'
ADDITIONAL BUILDING SETBACKS		
(SEP) BUILDING SEPARATION	10'	7'
(FG) FRONT GARAGE	NA	13.5' TO LOT LINE
(SS) STREET SIDE	NA	10'
MAXIMUM LOT COVERAGE (%)		
ONE STORY	60%	NO CHANGE
TWO/THREE-STORY	50%	62% WITH COVERED PATIOS AND PORCHES



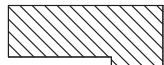


I3-045 - Copper Ranch

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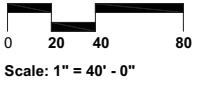
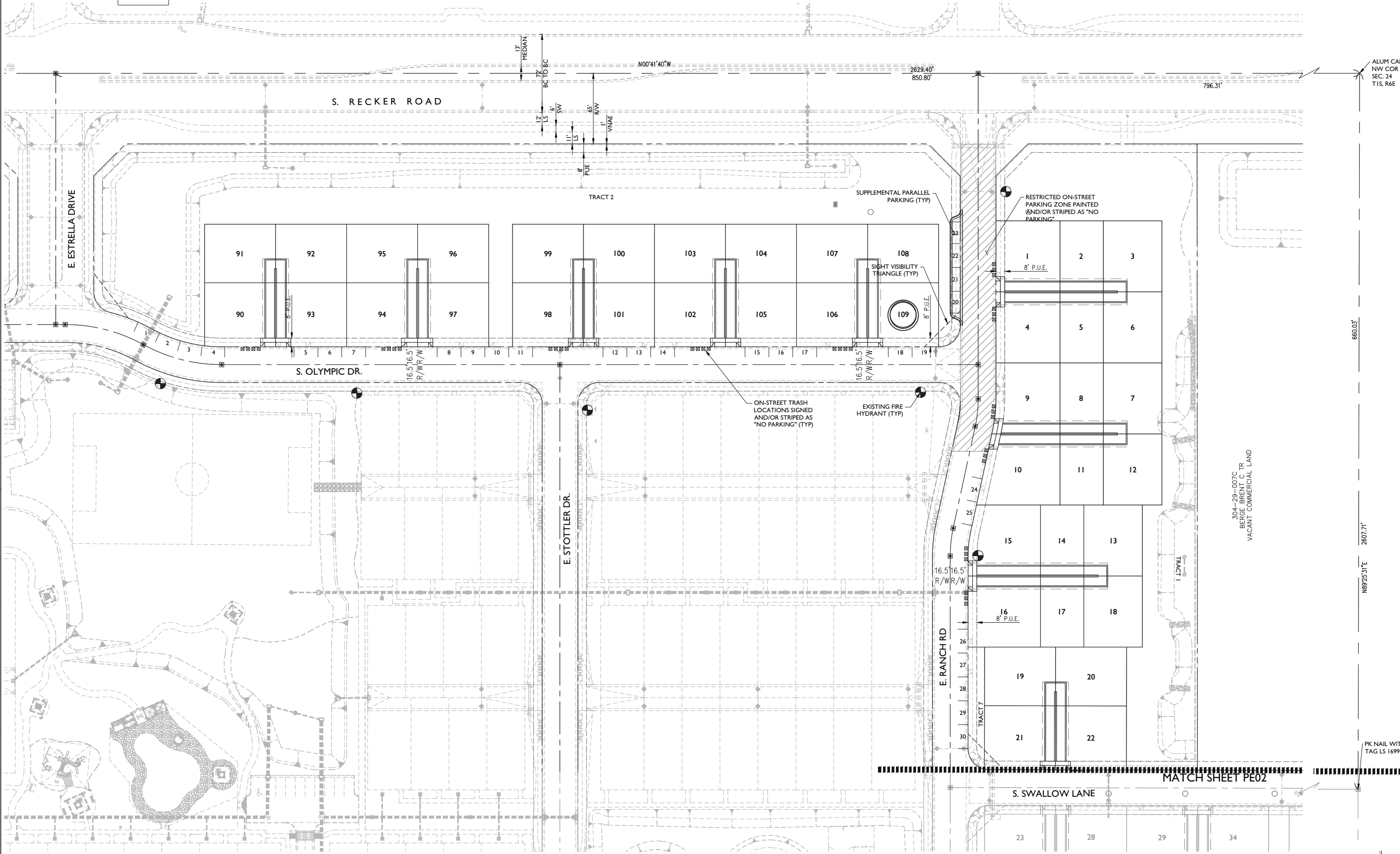
douxier

KEY MAP  
N.T.S.



SEE SHEET 2 of 2  
PE02

Z13-12  
Attachment 3: Parking Exhibit  
January 8, 2014



Scale: 1" = 40' - 0"



Copper Ranch  
Gilbert, Arizona  
Parking Exhibit

Revisions:


Call at least two full working days before you begin preparation.  
Dual 8-1/2" x 11" or 1400-STARKE-IT (RES-548)  
in Maricopa County (800) 551-1100  
Designer: DBA  
Drawn by: MSA

Professional Engineer  
50291  
DANIEL B. AUXIER  
Exp. 12/31/15  
ARIZONA, U.S.A.

Expires: 12/31/2015  
Job No.  
I3-045  
PE01  
Sheet No.  
1 of 2

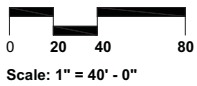
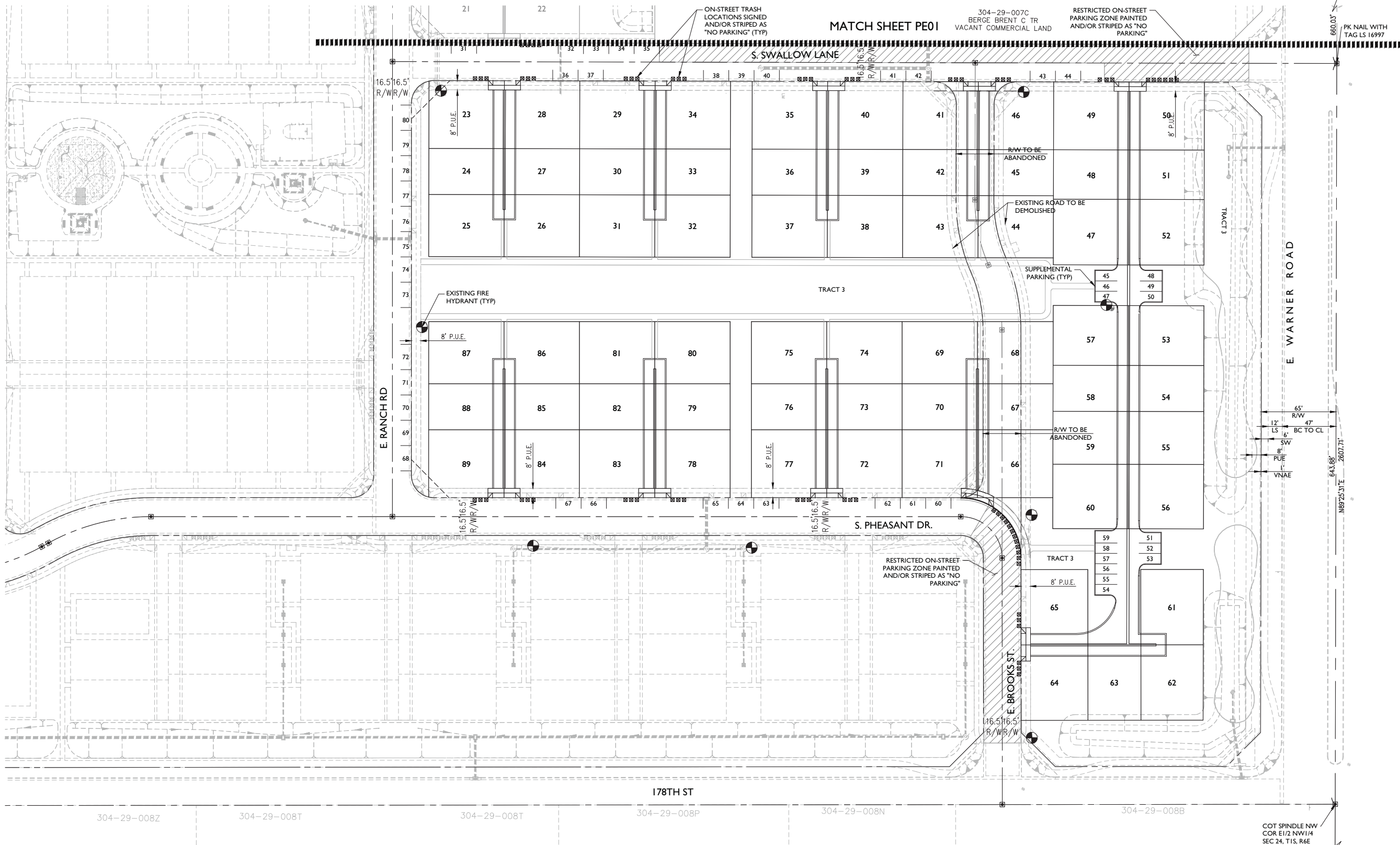
13-045 - Copper Ranch

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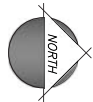
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KEY MAP  
N.T.S.

SEE SHEET 1 of 2  
PE01



Scale: 1" = 40' - 0"



N1/4 COR.  
SEC. 24,  
T1S, R6E

COT SPINDLE NW  
COR E1/2 NW1/4  
SEC 24, T1S, R6E

65'  
R/W  
12' LS  
47' BC TO CL  
6' SW  
8' P.U.E.  
VNAE

643.88' ±  
2607.71' ±  
N89°25'31"E

65'

12' LS

47' BC TO CL

6' SW

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N89°25'31"E

65'

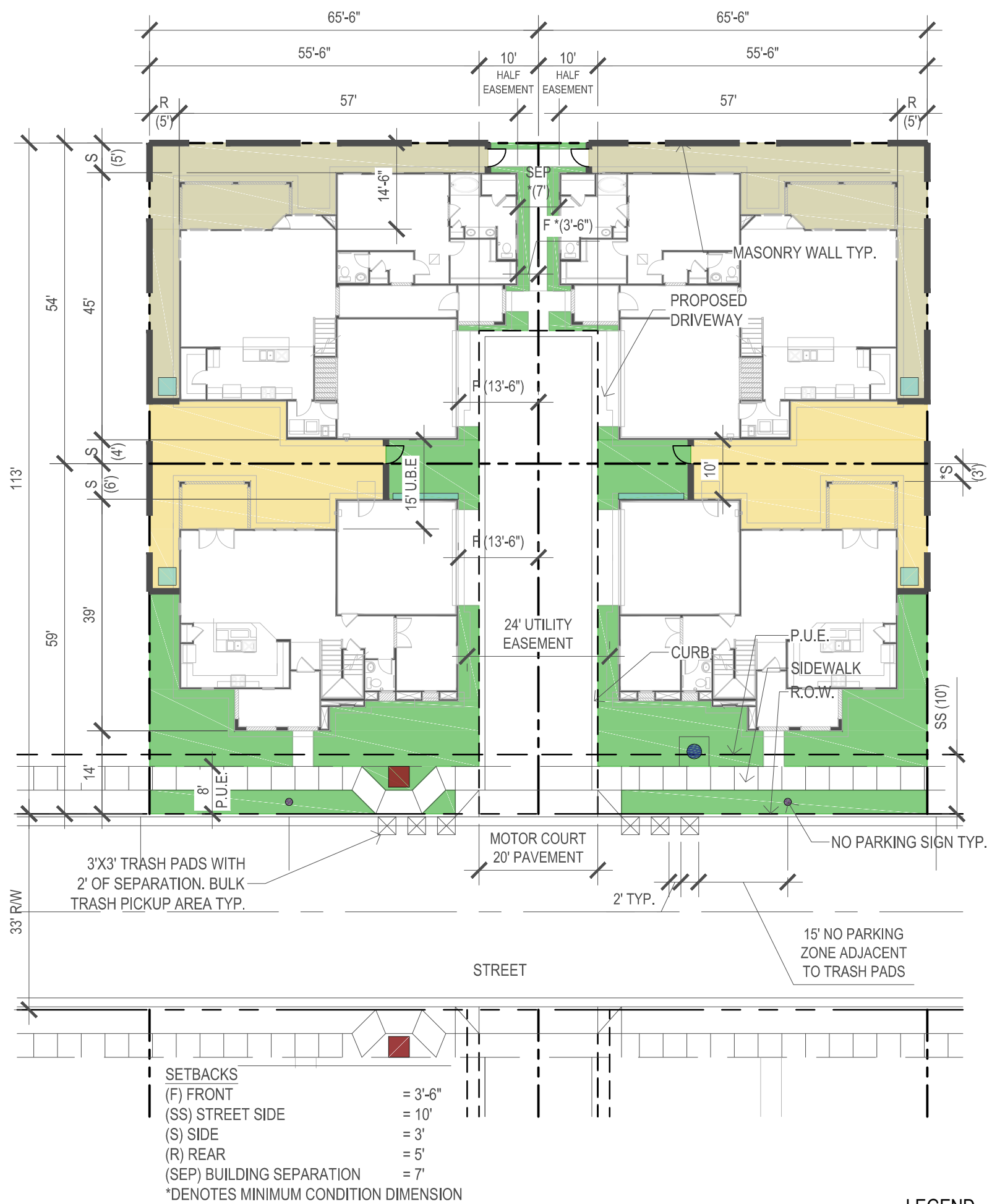
12' LS

47' BC TO CL






6' SW

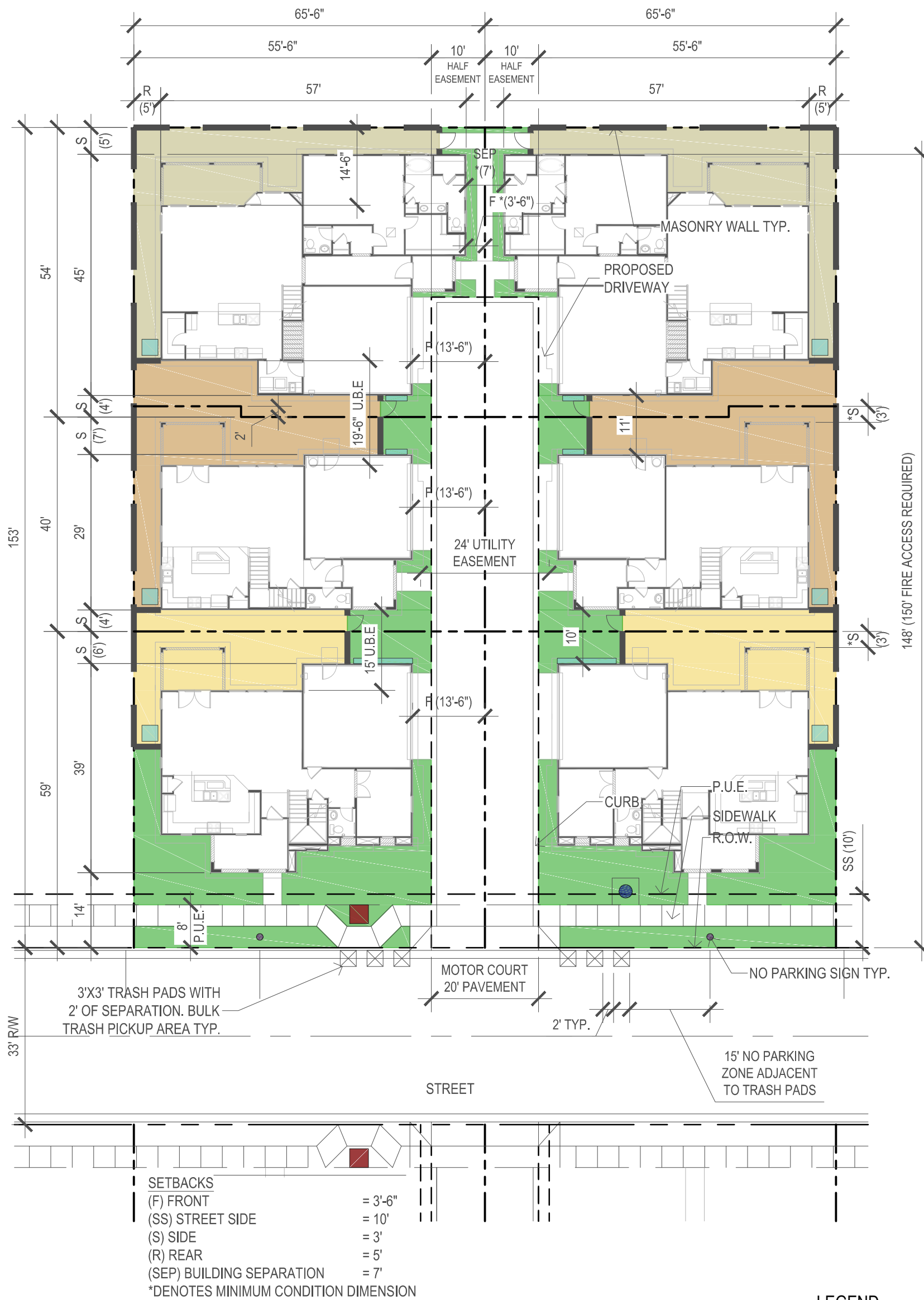
8' P.U.E.

**Z13-12**  
**Attachment 4: Typical Lot Fit Diagram**  
**(4, 6 and 8 packs)**  
**January 8, 2014**



### LEGEND

- |   |                    |
|---|--------------------|
|  | FIRE HYDRANT       |
|  | SRP TRANSFORMER    |
|  | NO PARKING SIGN    |
|  | UTILITIES LOCATION |
|  | AC CONDENSER       |



#### LEGEND

- FIRE HYDRANT
- SRP TRANSFORMER
- NO PARKING SIGN
- UTILITIES LOCATION
- AC CONDENSER

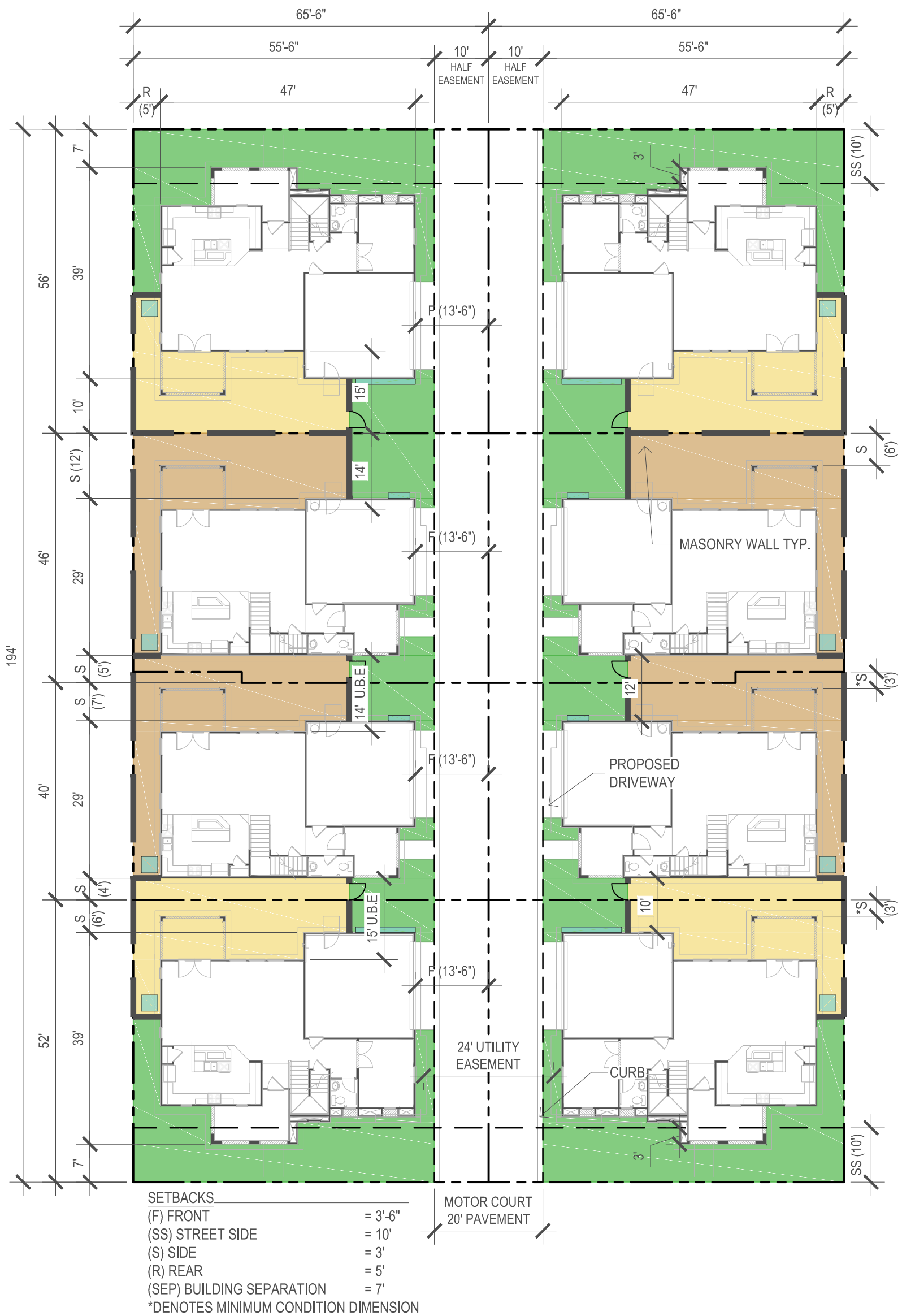


COPPER RANCH

6-PACK  
LOT LAYOUT

plan scale 1:20'  
date: 11.26.13

**andersonbaron**  
 plan • design • achieve  
 50 n. mcclintock drive, suite e 1  
 chandler, arizona 85226  
 ph. 480.699.7956 f. 480.699.7986



#### LEGEND

- FIRE HYDRANT
- SRP TRANSFORMER
- NO PARKING SIGN
- UTILITIES LOCATION
- AC CONDENSER

plan scale 1:20'  
date: 11.26.13



COPPER RANCH

8-PACK  
LOT LAYOUT

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**Z13-12 - Amend parcel B of the Copper Ranch Planned Area development (PAD) and rezone approximately 13.2 acres south and east of the southeast corner of Warner and Recker Roads to change the zoning district classification of this parcel from Multi Family-Medium (MF-M) with a Planned Area Development (PAD) to Single Family-Detached (SF-D) with a Planned Area Development (pad) overlay and deviations from the development standards in the land development code (LDC) for the zoning district proposed.**

Senior Planner Maria Cadavid noted that this was an application by KB Home and displayed a site map indicating the boundaries of the project. She commented that the piece is currently zoned MF – M. She noted that what the applicant wanted to do was to change the zoning to a SF – D product which is pretty much the entire PAD’s zoning designation. Staff supports the change but they have some issues not only in planning but with traffic regarding items that exist in the Master Plan. That issue is the on-site parking. People who live in the end units of the courtyards park in the street during the day and the issue is exacerbated on refuse pickup days. At the public meeting, which was held approximately a year ago, that was one of the issues that was brought forward. Ms. Cadavid noted that they were still working with the applicant on the traffic issues. She displayed an exhibit of one of the revised options that they have submitted for consideration by Traffic and Engineering. The applicant is requesting a reduction of the lot size from 3,000’ to 2,700’ with a reduction of the rear building setback from 10 feet to 0 and building separations reduction from 10 feet to 7 feet. Staff believes that the rezoning is warranted as the piece is difficult to develop; however, the applicant needs to adjust and revise to bring forward a development plan that flows better.

Commissioner Oehler asked what the differential in density was.

Planner Cadavid said that the SF – D is in the range of 8 – 14. The MF – M is 14 – 25. She noted that they need to credit the applicant as the 50 foot landscape easement along Recker Road alignment required by the standards of the Gateway area is observed. Also they have made an effort in buffering between future commercial and the pods that are closer to it. There is a street intervening between the future commercial and the pods to the East of the commercial site.

Commissioner Oehler said that in terms of the building separation going from 10 feet to 7 feet, where is the separation as he worried about the buildings being so close and windows looking into Windows.

Planner Cadavid stated that the separation between buildings is measured from the exterior wall to exterior wall of the adjacent building.

Commissioner Oehler said that he understood that but they would end up having much smaller windows so they will have big blank walls because of the reduction. He said that at 10 feet you don’t have fire issue in design but at 7 feet you do. He said that it was something to consider. He said that he completely agreed with staff in terms of looking at the parking because they have a large density and parking 3 or 4 spots here and there is not going to get it. The applicant needs to look at how they are going to deal with parking as a whole.

Commissioner Bianchi said that staff had stated that the rear setback goes from 10’ down to zero. He asked if that was not an attached product.

Planner Cadavid said that is what the applicant has requested based on their specific plans in each pod. Some of the plans go all the way to the property line of the lot.

Commissioner Bianchi said they were not connected and they just about the property line.

Planner Cadavid said that was correct.

Commissioner Bianchi said that he would echo exactly what Commissioner Oehler had stated. They looked at some of these in Cooley Station and had the same concerns and thought that if they just bumped up the lot size to 3000 feet a lot of the deviations would just go away and help the circulation and especially the parking.

Commissioner Powell said that it almost appears like they are building a duplex. He said that they do need specific illustrations that give justification for considering the request.

Chairman Wittmann said that she felt as though they were trying to put a square peg in a round hole. She said that she did not necessarily have an issue with the land use but the plan and the deviations requested was what she was concerned with. She said if it were to be approved she couldn't see what benefit it would be to the town.

Commissioner Cavenee said he agreed with the Chairman's comments. He said that he was also uncomfortable with the amount of deviations being requested and the parking was a huge issue.

Planner Cadavid commented that she would like to point out the way that the applicants transitions from the south by maintaining the wide open space that is already on Cobble Creek to the south.